

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Saaim Washington,
Petitioner,
v.
State of Nevada,
Respondent.

Case No.: 2:22-cv-01938-APG-DJA

Order Dismissing Improperly Commenced Habeas Proceeding

Petitioner, a Nevada prisoner, has submitted a single-page, handwritten document requesting a writ of habeas corpus under to 28 U.S.C. § 2254.¹ Petitioner has not filed an application to proceed *in forma pauperis* or paid the filing fee.² Accordingly, petitioner has not properly commenced an action for habeas relief.

14 Thus, this case will be dismissed without prejudice to the filing of a habeas petition under
15 28 U.S.C. § 2254 in a new action with either the \$5.00 filing fee or a completed application to
16 proceed *in forma pauperis* on the proper form with both an inmate account statement for the past
17 six months and a properly executed financial certificate. Petitioner is also advised that he must
18 file his petition for writ of habeas corpus on the court's approved form.³

22||¹ ECF No. 1-1.

²² See 28 U.S.C. § 1915(a)(2) and Local Rules LSR 1-1, 1-2.

³ See Local Rule LSR 3-1.

1 IT IS THEREFORE ORDERED that this action is dismissed without prejudice to the
2 filing of a petition in a **new** action with either the \$5.00 filing fee or a properly completed
3 application to proceed *in forma pauperis*.

4 IT IS FURTHER ORDERED that a certificate of appealability is denied as jurists of
5 reason would not find the court's dismissal of this improperly commenced action without
6 prejudice to be debatable or incorrect.

7 IT IS FURTHER ORDERED that the Clerk shall send petitioner two copies each of an
8 application form to proceed in forma pauperis for incarcerated persons and a noncapital Section
9 2254 habeas petition form, and one copy of the instructions for each form.

10 IT IS FURTHER ORDERED that the Clerk shall enter judgment accordingly and close
11 this case.

12 Dated: November 28, 2022



13 U.S. District Judge Andrew P. Gordon

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